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ABSTRACT

The General Accounting Office's recommendations to the Congress and the Office of Indian Education, Department of Health, Education, and Welfare is derived from a review of 16 projects funded under Title IV of the Indian Education Act of 1972 and designed to meet the special needs of American Indian children (operative during 1974-75 in Arizona, California, Minnesota, New Mexico, and Oklahoma). Major recommendations centered on improving the identification process re: American Indian children with special needs (i.e., improvements in definitions and guidelines for local educational agencies attempting to identify such children); assessing and defining the special education needs of Indian children (local educational agencies spent grant funds on various projects and activities because the Act does not adequately define the special educational needs of Indian children); establishing goals and objectives and evaluating program effectiveness (the Office of Indian Education cannot determine if the Title IV program is successful because program goals have not been established and grantees have been unable to determine if Indian children's needs are being met because some did not evaluate their projects, while others inadequately measured program effectiveness); strengthening parent committee involvement (at some local educational agencies, Indian parents were not actively and consistently involved); and improving program administration (improving time allocations, staff, and grantee information communication). (JC)

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# REPORT TO THE CONGRESS

## BY THE COMPTROLLER GENERAL OF THE UNITED STATES

# Indian Education In The Public School System Needs More Direction From The Congress

Office of Education
Department of Health, Education, and Welfare

The Indian Education Act of 1972 is primarily designed to support special educational needs of Indian children in elementary and secondary schools. GAO noted problems in identifying and selecting Indian children and assessing their special educational needs.

The Congress should amend legislation to overcome these problems.

This report also discusses problems in program operation and administration.

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HRD-76-172

MARCH 14, 1977

COMPTROLLER GENERAL OF THE UNITED STATES
WASHINGTON, D.C. 20548

B-164031(1)

To the President of the Senate and the
Speaker of the House of Representatives

The Office of Indian Education, part of the Department of Health, Education, and Welfare, is responsible for administering programs implemented under title IV of the Indian Education Act. These programs are designed primarily to meet the special educational needs of Indian children at the elementary and secondary school levels. We noted problems in identifying and selecting program participants and determining the special educational needs of Indian children. The Congress should amend legislation, and the Office of Indian Education should improve program operations.

Because of the national interest in improving Indian education and the potential for increasing program funds, we made our review to determine (1) the projects and activities carried out by grantees, (2) local community involvement, and (3) the quality of program administration.

We made our review pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), and the Accounting and Auditing Act of 1950 (31 U.S.C. 67).

We are sending copies of this report to the Director, Office of Management and Budget, and to the Secretaries of Health, Education, and Welfare and the Interior.

ACTING Comptroller General
of the United States

COMPTROLLER GENERAL'S REPORT TO THE CONGRESS

# INDIAN EDUCATION IN THE PUBLIC SCHOOL SYSTEM NEEDS MORE DIRECTION FROM THE CONGRESS

Office of Education
Department of Health, Education, and Welfare

## D I G E S T

The Congress sought to meet special educational needs of Indian children in the United States by enacting the Indian Education Act of 1972, Pub. L. 92-318. GAO, after examining the act's two major programs, is asking the Congress to clarify legislation and is making recommendations for improvements to the Office of Indian Education, Department of Health, Education, and Welfare (HEW).

During fiscal years 1973-76, grantees, including local educational agencies (the local public school systems), spent about $141 million. Projects were designed to meet the special needs of Indian children in elementary and secondary schools, by

--teaching Indian culture, history, and language;

--hiring teachers and teacher aides;

--purchasing prefabricated buildings, supplies, and equipment;

--providing tutorial and counseling services;

--providing student employment and work experience;

--sponsoring field trips and recreational activities;

--giving student attendance awards;

--running a breakfast program; and

--helping students financially. (See pp. 14 and 15.)

GAO reviewed 16 projects operated during school year 1974-75 in Arizona, California, Minnesota, New Mexico, and Oklahoma. Generally the largest project in each State was reviewed. They were funded by programs authorized under title IV of the act and administered by the Office of Indian Education.

## IMPROVEMENTS NEEDED IN IDENTIFYING INDIAN CHILDREN WITH SPECIAL EDUCATIONAL NEEDS

Local educational agencies have not used uniform methods and criteria to identify and document Indian children served. As defined in the act and regulations, "Indian" is too general to determine children who should be considered Indians. The Office of Indian Education also has not issued adequate guidelines for local educational agencies to determine Indian children eligible for and requiring program services. Consequently, differences exist in criteria and methods used by local educational agencies in determining the eligibility of Indian children for the program.

The Indian Education Act stipulates that funds be provided to local educational agencies according to Indian children enrolled. Local educational agencies therefore receive funds for each Indian child regardless if he or she is served by the program or has special educational needs. For better distribution of funds and to serve only Indian children with special educational needs, the Congress should--after consulting with the Office of Indian Education, the National Advisory Council on Indian Education, and Indian organizations and tribes--modify legislation to give a clearer definition of Indian children who should be considered eligible and require that funds be awarded to local educational agencies based on the number of children with special educational needs.

The Secretary of HEW should also direct the Commissioner of Education to establish adequate

guidelines for local educational agencies to use in determining and documenting Indian children eligible for program services.

## INDIAN CHILDREN'S SPECIAL EDUCATIONAL NEEDS UNDEFINED AND INADEQUATELY ASSESSED

Local educational agencies spent grant funds on various projects and activities (such as those listed above) because the act and regulations do not define the special educational needs of Indian children.

The regulations allow each local agency, the Indian parent committee, and the community to interpret these needs. Local educational agencies could not determine if title IV projects have responded to priority educational needs because needs assessments have not been adequately made or documented.

Grant funds were also used to purchase prefabricated buildings. The statutes and Federal regulations permit minor remodeling of a previously completed building and the acquisition of necessary equipment designed to meet the special educational needs of Indian children.

After questioning the use of grant funds for this purpose, the Office of Indian Education issued a policy memorandum in April 1976 prohibiting future purchases of this type. HEW, in responding to GAO's report, reversed this and stated that prefabricated buildings should not be considered construction. However, GAO does not regard the purchase of the prefabricated buildings as minor remodeling or the acquisition of necessary equipment and recommends that the Secretary of HEW prohibit future purchases unless specific statutory authority is obtained.

Officials of local educational agencies believe that Office of Indian Education guidance on making and documenting needs assessments has been insufficient. Its plans to provide technical assistance in this area and identify

needs nationally should improve the quality of assessments. The Office of Indian Education, however, should provide local educational agencies more specific guidelines on conducting and documenting needs assessments.

The Congress--after consulting with the Office of Indian Education, the National Advisory Council on Indian Education, and Indian tribes and organizations--should define what constitutes the special educational needs of Indian children.

## NEED TO ESTABLISH GOALS AND OBJECTIVES AND EVALUATE PROGRAM EFFECTIVENESS

The Office of Indian Education cannot determine if the title IV program is successful because program goals have not been established. Grantees have been unable to determine if Indian children's needs are being met because some did not evaluate their projects, while others inadequately measured program effectiveness.

The lack of goals and objectives and the grantees' failure to maintain sufficient information prevented GAO from determining if projects have been successful. Inadequate grantee evaluations also prevent the Office of Indian Education from

--assessing how well grantees are meeting Indian children's needs,

--identifying effective educational approaches that could be disseminated, and

--identifying problem areas requiring corrective action.

The inadequate grantee evaluations appear to be the result of the Office of Indian Education not

--developing adequate procedures for grantees to use in gathering, evaluating, and reporting project results and

--requiring grantees to establish clear, measurable objectives as a basis for evaluating their projects.

The Office of Indian Education has made some efforts to help establish goals and objectives and improve evaluations. (See p. 31.)

PARENT COMMITTEE INVOLVEMENT SHOULD BE STRENGTHENED

At some local educational agencies, Indian parents were not actively and consistently involved. All parent committees were active in planning and developing title IV projects, but only partly engaged in keeping watch on project activities because

--the local educational agencies generally did not provide parent committees objective and analytical information on children's needs and accomplishments,

--in some cases, committee responsibility and authority was not clearly understood, and

--local educational agencies did not always provide parent committees necessary guidance and assistance to help them effectively carry out their assigned responsibilities.

The Secretary of HEW should direct the Commissioner of Education to initiate actions to resolve these problems. (See p. 38.)

PROGRAM ADMINISTRATION NEEDS TO BE IMPROVED

The Office of Indian Education needs to improve some aspects of administering and monitoring grants so that projects are planned and operated according to the act and are effective in meeting Indian children's educational needs. Its officials attributed many of their problems to the small staff they have to administer the program.

HEW stated that at the time of GAO's review, the Office of Indian Education was hampered because of (1) insufficient time to solicit and review applications and make grant awards, (2) an inability to recruit staff with experience in Indian education, and (3) the inexperience of grantees, primarily Indian tribes, in managing Federal or other Indian programs. HEW generally agreed with GAO's recommendations and has taken or plans to take steps to make them effective. HEW's actions should help resolve many problems discussed in this report. (See app. I.)

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## ABBREVIATIONS

| | |
|---|---|
| GAO | General Accounting Office |
| HEW | Department of Health, Education, and Welfare |
| LEA | local educational agency |
| OIE | Office of Indian Education |

## CHAPTER 1

## INTRODUCTION

Recommendations to improve Indian education were made in October 1969 by the Special Subcommittee on Indian Education, Senate Committee on Labor and Public Welfare, after a 2-year investigation. To remedy some problems identified in their report, "Indian Education: A National Tragedy--A National Challenge," the Indian Education Act, title IV, Pub. L. 92-318, was enacted on June 23, 1972.

Title IV is primarily designed to meet the special educational needs of Indian children in elementary and secondary schools and also provides for adult education. The act, as amended, 20 U.S.C. 241aa et. seq. (Supp. V, 1975), has five parts:

--Part A and implementing regulations provide funds to local educational agencies (LEAs) to meet the special educational needs of Indian children in elementary and secondary schools and to Indian-controlled schools located on or near reservations which are not LEAs (non-LEAs) or have been LEAs for not more than 3 years. LEAs administer public education through the 12th grade in a county, township, or other school district.

Grants are made to LEAs on an entitlement basis, according to the number of Indian children enrolled, multiplied by the average per pupil education expenditure in the State. An LEA must have enrolled at least 10 or more Indian children or they must represent 50 percent or more of the total enrollment. This restriction does not apply to LEAs located in Alaska, California, Oklahoma, or those located on or near an Indian reservation.

--Part B and implementing regulations provide grants to support planning, pilot and demonstration projects, educational services not otherwise available, exemplary educational programs, personnel preservice and inservice training, fellowship programs, and the dissemination of information and materials. Grants are awarded to Indian tribes, organizations, institutions, individuals, State and local educational agencies, and federally supported elementary and secondary schools for Indian children.

--Parts C and E provide funds to improve educational opportunities for adult Indians and to prepare teachers for work in reservation schools. Part D established the Office of Indian Education (OIE) and the National Advisory Council on Indian Education.

## PROGRAM ADMINISTRATION

OIE, part of the Office of Education, Department of Health, Education, and Welfare (HEW), administers the title IV program. OIE awards grants, develops program regulations and guidelines, monitors grantee projects, and provides grantees technical assistance. State educational agencies and HEW regional offices have only limited involvement in program administration.

The National Advisory Council on Indian Education was established to provide advice to the Commissioner of Education and technical assistance to LEAs and Indian organizations. The Council is comprised of 15 native Indians or Alaskans appointed by the President from nominations submitted by Indian tribes and organizations. The Council has submitted three annual reports to the Congress which identify areas of concern and make recommendations for improving Indian education. During 1974 the Council held seven meetings across the country to provide guidance to and obtain feedback from various Indian groups and organizations.

Grantees develop and implement title IV projects. Their responsibilities include (1) determining the number of Indian children enrolled, (2) conducting needs assessments, (3) developing projects responsive to the priority needs of Indian children, and (4) developing procedures to evaluate project effectiveness. Parents of Indian children participate in these activities which include holding a public hearing.

Applications are submitted to OIE for review, to insure compliance with regulations and guidelines, and for approval. In addition, the Council reviews part B proposals and recommends to OIE which proposals to fund.

## PROGRAM FUNDING

The program is forward funded--funds received during one fiscal year are spent by grantees during the following school year. For fiscal years 1973-76, part A and B grantees received about $141 million. About $37 million was awarded in fiscal year 1974 and spent by grantees during school year 1974-75 as follows.

| Part | Number of grants awarded | Amount awarded | Estimated number of Indian children affected (note a) |
|---|---|---|---|
| | | ------(000 omitted)------ | |
| A (note b) | 854 | $23,800 | 214 |
| B | 136 | 12,000 | 80 |

a/The figures represent grantee estimates of the number of Indian children enrolled in their schools, not those served.

b/Does not include 23 grants totaling $1,200,000 awarded to non-LEAs.

Appendixes II and III show the title IV funds, through fiscal year 1976, available to the 12 part A and 4 part B grantees reviewed. Also shown for part A grantees are the LEA-operated schools, Indian children enrolled, and their percentage of the total student enrollment.

For school year 1974-75, the 16 grantees carried out activities designed to

--increase student attendance rates;

--develop or establish activities, materials, and curriculum to meet the bilingual-bicultural needs of Indian students, including (1) increasing their awareness and understanding of Indian history, language, and culture to improve their self-image and (2) developing written native languages and materials to teach students and adults to speak, read, and write their native language;

--increase student academic achievement levels;

--provide personal, social, occupational, and academic counseling;

--provide career education and work experience;

--provide students financial aid to help them meet educationally related expenses; and

--establish a teacher development program to help Indians obtain teaching certificates.

SCOPE OF REVIEW

We made our review at OIE headquarters in Washington, D.C., and 12 part A and 4 part B project sites in Arizona, California, Minnesota, New Mexico, and Oklahoma. These 16 grantees account for about 8 percent of the total funds awarded for parts A and B during school year 1974-75. The States and grantees were selected to give reasonable geographical coverage of the Nation's Indian population in urban and rural areas. Generally, we reviewed the largest grant in each State; the grants reviewed were selected judgmentally, but we believe our findings and conclusions would apply to many title IV projects.

Our review was mainly directed toward school year 1974-75 programs and included a review of the following.

--How grant funds were spent.

--Needs assessment.

--Selecting program participants.

--Evaluating project effectiveness.

--OIE administration and monitoring.

--Parental involvement

We examined applicable legislation, Federal regulations, OIE program policies and directives, project applications and evaluations, progress reports, and other related documents for grants received during fiscal years 1973-75. In addition, we interviewed officials or members of parent committees responsible for the projects.

## CHAPTER 2

## IMPROVEMENTS NEEDED IN IDENTIFYING INDIAN CHILDREN WITH SPECIAL EDUCATIONAL NEEDS

Local educational agencies have not used uniform methods and criteria to identify, document, and select children needing program services because:

--Indian, as defined in the Indian Education Act and implementing regulations, is general. Consequently, the LEAs adopted their own eligibility criteria.

--The Office of Indian Education has not issued LEAs adequate guidelines for determining the students eligible for the program.

As a result, wide differences existed in the criteria and methods LEAs used in determining program eligibility. It is possible for an Indian child to participate in one title IV project but be ineligible for another because of differing definitions of an Indian used by LEAs. Also, OIE has no assurances that

--Indian children enrollment figures are accurate because the figures are not documented and verified and

--all Indian children, for whom funds are received, have special educational needs because the act allocates funds to LEAs based on Indian enrollment rather than on need.

Some LEAs used part A funds to serve only a part of the Indian children enrolled, and other LEAs developed activities to serve all children or developed activities to serve only Indian children, but allowed Indian and non-Indian children to participate.

## IDENTIFYING AND SELECTING PART A PROGRAM PARTICIPANTS

The LEA must determine the Indian children enrolled and report the number to its State department of education to be verified and forwarded to OIE. State agencies are, however, not paid by the program to perform such services and they usually do not verify the figures. According to OIE officials, many State agencies do not have the staff to properly verify the Indian children enrollment of each LEA under their jurisdictions.

The estimated Indian enrollments reported by LEAs increased from 228,000 for school year 1973-74 to 378,000 for school year 1976-77. Had the program been completely funded, part A entitlements would have increased from $196 million in 1973 to $520 million in 1976. Only 6 to 10 percent of these amounts were, however, appropriated.

An Indian, as defined in the Indian Education Act, is:

> "* * * Any individual who (1) is a member of a tribe, band, or other organized group of Indians, including those tribes, bands, or groups terminated since 1940 and recognized now or in the future by the State in which they reside, or who is a descendant, in the first or second degree, of any such member, or (2) is considered by the Secretary of the Interior to be an Indian for any purpose, or (3) is an Eskimo or Aleut or other Alaska Native, or (4) is determined to be an Indian under regulations promulgated by the Commissioner, after consultation with the National Advisory Council on Indian Education * * *."

The Commissioner of Education, Department of Health, Education, and Welfare, is allowed to further define Indian by issuing regulations. Program regulations, however, contain essentially the same definition as in the act, and OIE had not provided additional guidance or developed uniform procedures for LEAs to use in determining students who should be considered Indians.

Some LEAs have greatly increased their counts of Indian children enrolled by expanding their definitions of Indian regarding the amount of Indian blood or by using different methods to identify them. Consequently, LEA part A grants increased from year to year as illustrated in the following table for three grantees reviewed.

| Grantee | School year | Indian enrollment | Increased enrollment | Percent of increase | Grant amount |
|---|---|---|---|---|---|
| A | 1975-76 | 4,310 | | 222 | $406,000 |
| | 1974-75 | 1,339 | | | 131,000 |
| | | | 2,971 | | 275,000 |
| B | 1975-76 | 3,180 | | 417 | 218,000 |
| | 1974-75 | 615 | | | 53,000 |
| | | | 2,565 | | 165,000 |
| C | 1974-75 | 1,307 | | 250 | 112,000 |
| | 1973-74 | 373 | | | 15,000 |
| | | | 934 | | $ 97,000 |

These grantees estimated their Indian children enrollments as follows.

Grantee A

LEA officials said the 1,339 Indian enrollment figure for 1974-75 was obtained from a racial and ethnic survey the county made in 1973, which was determined by teachers' observations of the children. Generally, the children were not asked about their ethnic backgrounds.

In fall 1974, 58 (9 percent) schools recounted the number of Indian children enrolled. Most schools arrived at much higher counts than in the 1973 survey. An LEA representative took the percent of increase of the 1974 count over the 1973 count for the 58 sample schools and applied this to the LEA's 1973 count of 1,339, to arrive at the 4,310 figure used for school year 1975-76. The schools used several methods to make the 1974 count, including (1) observing the children (2) asking them about their ethnic backgrounds, and (3) receiving written verification from parents about their children's Indian heritage. Some schools required the children to have at least 1/4th or 1/8th Indian blood, while other schools accepted anyone who declared himself or was considered by a teacher to be Indian.

LEA officials said they plan to determine the Indian enrollment for school year 1976-77 much like they did in 1974. In addition, students (or their parents) attending schools participating in the title IV project would be

asked to identify the tribe whom one parent or grandparent is affiliated.

The officials also said estimates of Indian families living within LEA's boundaries indicate more school age Indian children were enrolled in LEA. Following our fieldwork, LEA, in submitting its proposal to OIE for school year 1976-77, reported an Indian student enrollment of 6,430--a 49-percent increase over school year 1975-76.

Grantee B

For school year 1974-75, LEA staff members reviewed student enrollment cards and identified 615 children who were mostly fullblood Indians. For 1975-76 the enrollment of 3,180 was determined by asking the children to raise their hands if they had any degree of Indian blood. The LEA estimated a new enrollment of about 2,800 for school year 1976-77 by sending survey cards home with each child which asked parents to verify that one grandparent had at least 1/64th of Indian blood. This meant that a child with 1/256ths Indian blood could still be classified Indian.

Grantee C

This LEA determined its 373 Indian enrollment figure for 1973-74 by teachers counting children who said they had at least 1/4th Indian blood. The 1974-75 enrollment of 1,307 was based on teachers counting students who declared themselves to be Indian regardless of the degree of Indian blood.

LEAs used other methods to identify the Indian enrollment. For one LEA, the Indian enrollment figures reported to OIE for the 1974-75 and 1975-76 school years were determined by teachers or principal observations. Children were not asked about their ethnic backgrounds. Another LEA, partially on an Indian reservation, used figures prepared for another Federal program serving only Indian children with 1/4th or more Indian blood.

Officials of three other LEAs could not adequately explain or document how they identified and counted the Indian children for school years 1974-75 and 1975-76. Their figures were reported to and used by OIE in determining the funds they were eligible to receive.

During our fieldwork, OIE was developing forms for LEAs to use in counting and documenting Indian children enrolled and for obtaining parent verification of their children's Indian descent. We could not determine the impact these forms

will have on correcting problems because they had not been finalized.

## ENTITLEMENTS SHOULD BE BASED ON INDIAN CHILDREN'S SPECIAL EDUCATIONAL NEEDS

LEAs receive grant funds for each Indian child enrolled. Need is not a factor in determining the amount of the grant. Some LEAs designed projects to serve some Indian children, even though all Indian children within their districts were included in figures reported to OIE.

LEA officials, parent committee members, administrators, and teachers at some urban LEAs said that not all Indian children have special educational needs. They added that cultural, social, and economic factors may affect a child's ability to learn in the traditional school curriculum, but their basic academic needs were often the same as non-Indian children.

At 1 LEA the academic records for 15 Indian children showed that only 1 child had a below average grade in math and none had below average grades in reading. The achievement test scores for 13 children showed that 3 scored below average in math and 1 scored below average in reading.

Another LEA determined that on the average Indian children need more help in reading and math. The results of an opinion survey showed that Indian children and parents wanted a tutorial program and a cultural enrichment program. According to LEA officials, other State and Federal funds generally were used to help meet these needs.

The above LEA used title IV funds to meet other needs. Over 67 percent ($44,000) of its funds for school year 1974-75 were spent for (1) administrative costs, including the salary of the Director of Indian Education, who was responsible for other Indian programs in addition to title IV, and his secretary, (2) salaries of 2 teachers at a non-LEA alternative school serving about 28 Indian children, and (3) payments for class rings, class pictures, shop materials, and gym equipment.

As discussed in chapter 3, LEAs have not performed adequate needs assessments and consequently, have not identified the Indian children needing special attention. Rather, urban LEAs generally used grant funds for activities designed to serve all Indian children and, in some cases, allowed both Indian and non-Indian children to participate. Also, some LEAs used a portion of their grant funds for projects designed to serve all children.

About 60 percent of one LEA's funds were used to provide Indian culture and history programs at several schools to increase the self-image and self-respect of Indian children. These programs were available to all Indian children in these schools, and in some cases, Indian and non-Indian children participated. An independent evaluator hired by the LEA reported that many children, while possibly having some Indian heritage, had little or no prior self-identity as Indians. We were told by the project administrator at one high school that many Indian children have become urbanized and have assimilated into other cultures, with no real connection with Indian life.

Another LEA used grant funds to hire an additional math teacher for one school to reduce the number of children in the math classes. The teacher taught all children regardless of race. Another LEA used funds to provide counseling services for Indian and non-Indian children and records show that 54 percent of the 134 children counseled were non-Indian. Another LEA used grant funds to establish a career education program for all children enrolled. (See pp. 18 and 19.)

In addition, some LEAs have not used grant funds to serve all Indian children enrolled even though they receive funds for these children. An OIE official said LEA projects should be designed to directly benefit all Indian children for whom funds are received. For six LEAs, the number of Indian children served or enrolled in schools participating in part A projects ranged from 12 to 67 percent of the LEA's total Indian enrollment, as shown below.

| LEA | Total LEA Indian children enrollment | Number served or enrolled in schools receiving grant funds | Percent |
|---|---|---|---|
| A | 497 | 62 | 12 |
| B | 4,310 | a/953 | 22 |
| C | 3,392 | b/1,451 | 43 |
| D | 615 | 294 | 48 |
| E | 215 | a/137 | 64 |
| F | 2,676 | a/1,806 | 67 |

a/Figures represent the number of Indian children enrolled in schools participating in major project activities. LEA records did not show how many of these children were served by the project.

b/Includes Indian and non-Indian children served by the program. This LEA did not have information on how many Indian children were served.

In four of these six LEAs, major project activities were generally not available in all schools having Indian children enrolled. In some cases, funds or services were provided to schools with the largest Indian enrollment or to schools wanting to participate in the activities. In other cases, funds were awarded competitively to schools wanting to establish projects for Indian children in the school, in a certain grade, or in a certain class. For the other two LEAs, the major activities were available to all Indian children enrolled in the LEA.

The other six LEAs reviewed designed programs to benefit all Indian children, but records did not show how many Indian children were served.

## CONCLUSIONS

LEAs have not used uniform methods and criteria to identify and document those Indian children served. Indian, as defined in the act and regulations, is too general for LEAs to determine those students who should be considered Indians. Also, OIE has not issued adequate guidelines for LEAs to determine those Indian children eligible for and requiring program services.

Consequently, differences exist in criteria and methods used by LEAs in determining the eligibility of Indian children for the program.

During our review, OIE was developing forms for LEAs to use in determining and documenting the Indian children enrolled. Because these forms were not finalized we could not determine the impact they will have on correcting problems.

The Indian Education Act stipulates that funds be provided to LEAs according to Indian children enrolled. LEAs receive funds for each Indian child regardless if they are served by the program or have special educational needs. In view of limited part A funds, it may be more effective to allocate grant funds to LEAs based on the number of Indian children identified as having special educational needs.

## RECOMMENDATION TO THE SECRETARY OF HEW

The Secretary of HEW should direct the Commissioner of Education to establish adequate guidelines for LEAs to use in determining and documenting the number of Indian children eligible for the part A program.

## RECOMMENDATIONS TO THE CONGRESS

For better distribution of part A funds and to serve only Indian children with special educational needs, the Congress should--after consulting with OIE, the National Advisory Council on Indian Education, and Indian organizations and tribes--provide OIE a clearer definition of Indian children who should be considered eligible for the program and require that part A funds be awarded to LEAs based on the number of Indian children with special educational needs.

## AGENCY COMMENTS AND OUR EVALUATION

HEW, by letter dated November 22, 1976 (see app. I), concurred with our recommendation and said that two new forms will be used in fiscal year 1977 to assist LEAs in determining and documenting the number of Indian children in their school districts. One form will require Indian parents to indicate their child's tribal affiliation and determine the child's eligibility for the program. Parent committees will review the forms in conjunction with the LEA and advise them about the legitimacy of Indian organizations. The other form will be filled out by the school district and forwarded to the State department of education for verification of the student count. Each participating State department of education will then forward a list of all school districts and their Indian enrollment to OIE.

LEAs are no longer to rely on teacher observation, a show of hands, or amount of Indian blood to determine eligibility. OIE also plans to evaluate these new procedures by examining the records of a random sample of school districts funded in fiscal year 1977 and by interviewing Indian students and parents. In addition to these reviews, all school districts records having onsite OIE staff monitoring visits will be checked.

HEW did not agree that the problems of determining and documenting eligible Indian children were caused by the Indian Education Act's definition of "Indian" but were caused by applicants misinterpretation and inadequate guidelines from OIE. HEW stated that the above forms should correct these problems.

We agree that the forms should help LEAs in documenting the number of Indian children eligible for title IV projects but verification of the student count by State departments of

education is doubtful. As pointed out on page 6, OIE officials said that many State departments do not have the manpower to verify the Indian enrollment of each LEA under its jurisdiction. Additional efforts are needed to encourage State departments of education to do this.

We agree with HEW that the problems in identifying Indian children resulted from inadequate OIE guidelines and applicants' misinterpretations. However, we believe that these misinterpretations resulted from the Indian Education Act's general definition of an Indian which enabled LEAs to adopt their own eligibility criteria. Indian children eligible to participate in one title IV project may be ineligible to participate in another project because of differing definitions of an Indian used by LEAs. We are asking the Congress to clarify the definition of an Indian.

HEW concurred with most of our major findings but said that the following should be considered in examining our findings:

1. Less than 2 months was available to solicit applications, review them, obligate funds, and make grant awards.

2. The part A program represented the first real involvement of Indian parents and communities in the public school system.

3. Under the parts A, B, and C programs, and Non-Local Education Agency, grantees who are primarily Indian tribes, institutions, and organizations, were relatively inexperienced in managing Federal or other educational programs.

4. OIE had difficulty in recruiting staff with experience in Indian education, and therefore operated below its position ceiling. With an inadequate staff, only basic administrative grant functions could be completed.

HEW said that it is important to note that these conditions existed during our review and had a negative impact on the success of OIE but OIE has since implemented corrective actions to improve the administration and accomplishments of the program. We believe the actions outlined by HEW will help resolve many problems.

## CHAPTER 3

## INDIAN CHILDREN'S SPECIAL EDUCATIONAL NEEDS UNDEFINED AND INADEQUATELY ASSESSED

The Indian Education Act's main objective is to meet the special educational needs of Indian children. The act and program regulations allow parts A and B grantees to implement various projects and activities.

Part A and implementing regulations do not define the special educational needs of Indian children, but allow local educational agencies, Indian parent committees, and local Indian communities to determine these needs. Although the LEAs reviewed had identified some educational needs of Indian children, they did not make comprehensive needs assessments or document evidence of the needs. It was difficult, therefore, to determine if part A funds were used for Indian children's priority educational needs.

The success of parts A and B projects in meeting these educational needs could not be determined because measurable program goals were not developed, project objectives were generally vague, objective evaluations were not made, and data maintained was generally inadequate for measuring accomplishments. (See ch. 4.)

### PART A FUNDS USED FOR VARIOUS ACTIVITIES

The Indian Education Act specifies that LEAs use part A funds for planning and taking other steps toward developing, establishing, maintaining, and operating programs designed to meet the special educational needs of Indian children. The act does not, however, define these needs. An Office of Indian Education official said that LEA administrators believe that Indian children need reading and math programs most, while Indian parent committees prefer cultural and tutorial activities and home school/coordinators. OIE officials also believe social and emotional needs are important.

Part A grantees have, consequently, spent grant funds on various projects and activities. Fund uses include (1) providing Indian culture, history, and language activities, (2) hiring teachers and teacher aides, (3) purchasing prefabricated buildings, supplies, and equipment for academic instruction, (4) tutorial and counseling services, (5) student employment

and work experience, (6) student field trips and recreational activities, (7) student attendance awards, (8) a breakfast program, and (9) providing social services, such as student financial aid.

Under Federal regulations implementing part A, LEAs are given great latitude in deciding how grant funds will be spent. These regulations specify, however, that special educational needs of Indian children should consider:

--Instructional services, activities, and experiences, such as (1) language, vocational, industrial, and creative arts, (2) math and natural science, (3) social sciences and humanities, (4) physical education, and (5) cultural enrichment.

--Support activities, services, or experiences, such as (1) academic guidance, counseling, and testing, (2) use of dormitory and recreational facilities, (3) food and clothing, (4) medical and dental care, (5) psychological or psychiatric testing and care, (6) social services, (7) pupil transportation, and (8) special services for physically handicapped and mentally retarded children.

The regulations require each LEA to conduct a needs assessment. Neither the regulations nor OIE have, however, provided adequate criteria or guidance to make such assessments. The regulations further stipulate that the assessment must consider activities which support the community's heritage, traditions, and lifestyle. Identified needs must be assessed to establish priorities for planning multiservice programs and to make sure there is a genuine impact on Indian children.

The regulations stress the importance of Indian parent and local community involvement in making the needs assessment and developing the program. They state the program should be developed in consultation with the parents of Indian children, teachers, and secondary school students, if the program serves such students.

Examples of various projects and activities implemented by 7 of 12 part A grantees during the 1974-75 school year follow. The total project costs for these grantees ranged from $22,000 to $837,000.

Example 1--cost of $837,000

Math laboratories--About $241,000 of fiscal year 1974 funds were used to establish math laboratories at the LEA's

eight secondary schools to benefit mainly children 2 or 3 years behind in math. Except for one school, the project did not start operation until the 1975-76 school year.

The LEA entered into a 3-year lease/purchase agreement for about $197,000 to purchase eight prefabricated buildings to house the math laboratories. About $128,000 of fiscal year 1974 funds were used to make two of three installment payments for the buildings. The third installment of $69,000 was paid out of fiscal year 1975 funds. LEA officials said the buildings were purchased because there was no room in existing LEA school buildings to house the laboratories and that OIE had given verbal approval to purchase the buildings. Also, the LEA, in its grant proposal to OIE, indicated that the buildings would be obtained. However, we believe the use of grant funds for these buildings is questionable.

The act provides that grants may be used for planning and for:

> "(2) the establishment, maintenance, and operation of programs including, in accordance with special regulations of the Commissioner, minor remodeling of classroom or other space used for such programs and acquisition of necessary equipment, specially designed to meet the special educational needs of Indian children."

HEW has promulgated regulations pursuant to the act which further defines the authorized uses of grant funds and interprets the term "minor remodeling." The regulations state that:

> "'Minor remodeling' means minor alterations, in a previously completed building, which are needed to make effective use of equipment or personnel in space used or to be used for programs or projects meeting the assessed needs of Indian children. * * * The term does not include structural alterations to buildings, building construction, maintenance, or repair."

We believe the purchase of prefabricated classrooms is not a minor alteration in a previously completed building but building construction. Consequently, the purchase of prefabricated classrooms does not appear to constitute "minor remodeling."

HEW regulations do not define the term "necessary equipment." 1/ The term "equipment" is an exceedingly elastic term, the precise meaning of which depends on the context in which it is used. Elliot v. Payne, 239 S.W. 851 (Sup. Ct. Mo. 1922). As used in the act, we do not believe it encompasses the prefabricated classrooms in question. Those classrooms are large (28 feet by 32 feet), fully equipped structures attached to prepared land sites by means of pilings. In our opinion, it would be inconsistent to say that only "minor remodeling of classroom or other space" is permissible on the one hand, while provision of completely new classrooms or other space on the other hand is permissible.

We brought this matter to OIE's attention, and, in April 1976, a policy memorandum was issued instructing OIE program officials not to approve prefabricated classroom purchases in the future. However, in responding to our draft report, HEW reversed this position and stated that it did not believe that the purchase of the eight prefabricated buildings constituted construction. HEW added that there is authority under its regulations to engage in lease/purchase agreements and there is precedent which indicates the purchase of math laboratories housed in prefabricated, portable buildings should not be considered construction.

Although HEW regulations authorize the lease or purchase of equipment, we believe the term "equipment" as used in the act does not embrace the prefabricated, portable buildings in question. Further, even if there is a basis for arguing that the purchase of prefabricated, portable buildings does not constitute "building construction" as that term is used in HEW's regulations, it is our view that the applicable HEW regulations define the term "minor remodeling" in such a way as not to include the purchase of prefabricated buildings. Therefore, in our opinion, the allowance of grant funds for the purchase of prefabricated buildings was questionable.

Regarding the classrooms in question, it appears that the LEA involved exhibited good faith in applying for and in using grant funds for the eight prefabricated buildings. The LEA fully disclosed the purpose of the grant funds

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1/ When regulations under the act were first promulgated in July 1973 (38 Fed. Reg. 18018), a definition of "equipment" was included, but it was revoked in November 1973 (38 Fed. Reg. 30661), prior to the grant in question. In our view, the portable classrooms would not have qualified as "equipment" under the revoked definition.

when it applied to HEW and the prefabricated buildings were contracted for in accordance with the application approved by OIE.

Considering all the facts and circumstances related to the use of the grant funds, we would be reluctant to require the LEA to repay the amounts expended. However, we would be be required to question similar expenditures under future grants unless specific statutory authority is obtained for the purchase of prefabricated buildings.

The remaining $113,000 of the $241,000 was spent for:

--Math instructional programs, laboratory equipment, materials, and supplies; and classroom furnishings, such as desks and chairs for the eight new buildings.

--Salary and travel expenses for the math coordinator who worked on developing the laboratory project.

--Salaries of aides and one teacher who helped children in math classes during the 1974-75 school year or who worked in the math laboratories. The majority of children participating in the project were Indian.

Career education--The LEA spent about $151,000 awarded for school years 1973-74 and 1974-75, to create a Mobile Career Education project to serve all children enrolled.

In June 1973 the LEA's State board of education required that a career education program be included in the regular curriculums of State schools for all children in kindergarten through the 12th grade. The program was to start in July 1973 and be completed by July 1977. In December 1974 the program was required by the State's Minimum Education Standards.

An LEA official said they received no State funds for this program and title IV funds were used to help implement the program. An OIE official said that if a program is part of the LEA's regular curriculum, the LEA must make sure that the program is sufficiently funded so that Indian children may participate, but the LEA should not use title IV funds.

Although funded in the 1973-74 school year, the project was not started until the 1975-76 school year. Under this project, career counselors travel in 2 motorcoaches equipped with career education materials, audiovisual, and instructional equipment to LEA's 27 elementary and secondary schools to disseminate information on career education. The LEA

spent $70,000 of the 1973-74 grant funds to purchase the motorcoaches, materials, and equipment. Another $81,000 was spent to purchase more materials, supplies, and audiovisual equipment and to pay the salary and travel costs of two counselors and two part-time aides.

Home/school coordinators--About $122,000 was spent for the salary and travel costs of up to 18 home/school coordinators who worked with Indian children and their parents to improve student class attendance and the relationship between the LEA and Indian parents. This amount includes the cost of a $4,000 purchase of a pickup truck for the coordinators to use in their work. In the previous school year (1973-74), about $55,000 was used to buy 18 pickup trucks for the coordinators because, according to LEA officials, the coordinators travel long distances to attend community meetings and visit children's homes.

Student employment and work experience--About $74,000 was used for work projects during the 1974-75 school year and the summer months to provide Indian high school students a source of income, work experience, and an awareness of career opportunities. LEA officials said another purpose of the project was to encourage Indian students to stay in school rather than leave school to find jobs.

The $74,000 paid the salaries of 1 supervisor and about 100 Indian students participating in the project during the school year and about 140 students and 7 supervisors participating during the summer. Most students worked for the LEA in general labor and office positions.

Example 2--cost of $244,000

Academic instruction--About $77,000 was spent for teaching supplies and equipment and the salaries of

--18 teacher aides and 1 coordinator, to work in elementary schools with the largest concentration of Indians.

--1 full-time psychologist to test and evaluate Indian children, to provide an appropriate instructional program for each child.

--2 learning disability teachers, to help Indian children with learning disabilities in reading and math. Non-Indian children were also served by the program, but the LEA kept no records showing how many.

Student expenses--About $21,000 was spent for dental and medical expenses and purchases of clothing and school supplies for Indian children.

Example 3--cost of $114,000

Student attendance rewards--About $32,000 was spent for a rewards program for entire classes of Indian children and individual children having good attendance. The rewards included toys, games, radios, cash awards, airplane rides, and field trips to places, such as Disneyland and local amusement parks.

Instructional and recreational activities--About $28,000 was spent to

--buy equipment and supplies, such as microscopes, science books, tables, a refrigerator, and specimens for the science program;

--buy playground equipment and supplies, such as gym sets, balls, and gym clothes; and

--pay the salary of a physical education instructor to supervise the playground activities of Indian children in kindergarten through the third grade.

Breakfast program--About $21,500 was spent on a daily breakfast program to provide Indian children milk, cold cereal, or fruit.

Example 4--cost of $112,000

Tutorial project--About $23,000 was spent to pay the salaries of 1 director, 7 site coordinators, and 70 secondary student tutors to provide individual tutoring in reading and math. Indian and non-Indian children were served by the program.

Teaching supplies and cultural activities--About $16,000 was spent for teaching supplies, audiovisual equipment and supplies, and cultural activities. These expenses included $3,600 to repair a damaged gymnasium floor and about $600 to pay part of the cost of a rock band hired to play at a title IV-sponsored Indian heritage celebration.

Math teacher--About $10,000 was used to pay the salary of one math teacher hired to reduce the student-teacher ratio in math classes at one school. Indian and non-Indian children were enrolled in these classes.

Example 5--cost of $97,000

Cultural activities--About $61,000 was spent to provide Indian cultural activities and programs at several schools. Included were costs of field trips, arts and crafts, textbooks, and instructional materials used in school activities, such as Indian history classes and salaries or fees for teachers, educational aides, and consultants for Indian history and cultural activities and lectures. Most children participating were Indian.

Example 6--cost of $66,000

Alternative school teachers--About $17,000 was spent to pay the salaries of 2 teachers at a non-LEA alternative school serving about 28 Indian children who had dropped out or were transferred from a regular school.

Example 7--cost of $22,000

Counselor aides--About $21,000 was spent to hire and train three Indian counselor aides to work with Indian children in kindergarten through the 12th grade. These aides would help children overcome problems, such as irregular attendance, behavioral problems, and lack of a positive self-image affecting their academic achievement.

## SPECIAL PROJECTS TO IMPROVE EDUCATIONAL OPPORTUNITIES FOR INDIAN CHILDREN

The special educational needs of Indian children were not defined in part A of the Indian Education Act. Although part B is more specific, grantees have been given latitude in designing programs to improve Indian children's educational opportunities.

Four part B grantees used grant funds to

--train Indians to be elementary school teachers and to find them jobs in schools on Indian reservations;

--develop materials and provide training to help Indians read and write their native languages;

--provide guidance, counseling, remedial education, tutoring, and cultural activities for Indian children attending public schools; and

--place bilingual aides in several public school classrooms and develop curriculums to meet Indian children's bilingual-bicultural needs.

Following are examples of projects and activities implemented in fiscal year 1975 by two part B grantees reviewed.

Example 1

Teacher training project--During fiscal years 1974-76 the grantee was awarded $893,000 to administer and train Indian students to be elementary school teachers and to find them jobs in schools on Indian reservations. In fiscal year 1975, the grantee spent about $300,000, 80 percent of its part B grant, for this project. About 78 percent of this amount was paid to two State universities for courses required for a bachelor's degree in elementary education.

Under this 2-year program, students attended classes on the reservation 1 day a week during the school year. During the summer they took courses not offered on the reservation, but required for a degree at the universities. To be eligible for the program, a student had to be bilingual and have the equivalent of 2 years of college credits. As of December 1975, 65 students graduated and earned bachelor degrees or teaching certificates in elementary education. Fifty-three of them have been employed as elementary school teachers in reservation schools and as of January 1976, about 170 students were still enrolled in the program.

Example 2

Language development project--During fiscal years 1974-76, the grantee was given $626,000 to develop language materials, including the refinement of orthographies (representation of language sounds by written or printed symbols) and training to help two Indian tribes read and write their native language. The grantee spent about $200,000 of project funds to develop several beginning language booklets and instructional charts. Limited training was provided for the two tribes.

For one tribe, the project developed and reproduced only 4 beginning native-language reading booklets and 30 instructional charts. Project officials said five training classes were conducted during fiscal year 1975, but four classes did not start until the end of the fiscal year. According to these officials, about 85 individuals were enrolled in classes meeting 1 day a week for 4 to 6 hours. The project kept, however, no records showing (1) student enrollment, attendance, and achievement, (2) how often the classes were held, and (3) the subject matter covered.

We could not determine if the part B projects reviewed were improving Indian children's educational opportunities because measurable project objectives generally were not developed and evaluations conducted and data maintained for measuring accomplishments generally were inadequate. (See ch. 4.)

## IMPROVEMENTS NEEDED IN ASSESSING EDUCATIONAL NEEDS

OIE considers the identification of the priority educational needs of Indian children necessary for LEAs to design effective projects. OIE officials said that cultural, social, and economic needs of Indian children should be considered. The quality of needs assessments conducted varied. Although the LEAs have identified some educational and other needs of Indian children, they have not comprehensively assessed the variety or severity of the needs or documented the evidence used to establish them.

### Needs assessments not comprehensive

The LEAs reviewed used various approaches in making needs assessments. They relied only on subjective data and did not systematically develop the assessments. The subjective data included observations; questionnaire results; and discussions among parents, teachers, LEA staff members, and local community members on how they felt the funds should be spent. Four LEAs used, however, limited objective data, such as student academic achievement and school attendance records.

Examples of how four LEAs conducted their needs assessments follow.

### Example 1

The LEA's implemented its first part A project during school year 1974-75. For school years 1974-75 and 1975-76, the LEA did not conduct a needs assessment before submitting its grant application to OIE, but proposed a minigrant project. To receive grant funds from the LEA to establish special programs for Indian children, local schools were to assess needs and submit a proposal to the LEA's central parent committee for approval. For five local schools receiving grant funds during school years 1974-75 and 1975-76, Indian children's needs were identified through discussions among school personnel, a small number of Indian parents, and, in one case, students.

Example 2

The first needs assessments consisted of discussions among a school counselor who developed the title IV project for school year 1973-74 and teachers and aides who were also Indian parents. For school year 1974-75, the grant proposal was based on 1973-74's program and on questionnaire results from 79 Indian parents.

The questionnaire asked if the part A project should include more Indian cultural and language activities. An LEA official said no real needs assessment was made in developing the part A project for school year 1975-76.

Example 3

An LEA official and parent committee members said needs were not assessed before the first grant proposal for school year 1974-75 was submitted to OIE. LEA officials wrote the proposal based on what they believed to be the needs of Indian children and what project objectives should be. The parent committee reviewed the proposal and decided how grant funds could best be used to meet the needs and accomplish the objectives of the proposal. According to an LEA official, the parent committee emphasized helping parents meet their children's needs, which accounted for the high percentage of funds used for items that parents normally pay for, such as school fees, workbooks, graduation expenses, clothing, eye glasses, and hearing aids.

The 1975-76 school year proposal was based on questionnaire responses of 74 persons and the opinions of parent committee members, students, school administrators, and others during 3 parent committee meetings held to develop the proposal.

The questionnaire, listing 15 possible needs, was distributed to parents, students, teachers, administrators, and community members at a public meeting requesting that each person rank the needs of Indian children and identify other needs not listed.

Example 4

The needs assessment for school year 1973-74 consisted of LEA staff members presenting a list of needs to the parent committee. The parent committee discussed these needs, suggested additional ones, and numbered them by priority. With this information, LEA personnel developed the grant proposal.

A similar procedure was followed for the projects developed for school years 1974-75 and 1975-76, except that the assessment consisted of the parent committee reranking the needs of the previous year's program, plus any other needs suggested by LEA personnel and Indian parents. LEA personnel said they identified the special educational needs of Indian children based on professional experience in working with these children.

LEAs need to improve the documentation supporting their needs assessments. Parent committee minutes supporting needs were usually general and included only limited information on how needs were identified. In some instances, questionnaire results, objective data, or summaries of this data used in identifying needs were not maintained by LEA. The absence of documented needs assessments hinders evaluation because a basis is not established for evaluating LEA efforts in identifying and meeting the special educational needs of Indian children.

In addition, for some LEAs reviewed, community involvement in developing part A projects appears to be minimal. Federal regulations require LEAs, before submitting grant proposals to OIE, to hold at least one public hearing where the local community members are given full opportunity to understand the program and make recommendations. In developing the grant proposal for school year 1975-76, three LEAs either did not hold a public hearing or the hearing was attended only by parent committee members. Officials of seven other LEAs said community members attended the public hearing, but no record of those who attended was kept.

More guidance needed in assessing and documenting needs

Generally, LEA officials said they received insufficient guidance from OIE on making and documenting needs assessments. An OIE official said staffing problems have not allowed them to assist LEAs in determining needs. The official said that during fiscal year 1977 OIE will award about six technical assistance grants to help improve the quality of LEAs' needs assessments.

OIE is also planning to comprehensively assess the educational needs of Indian children nationwide. In April 1976, OIE solicited proposals for this assessment, which is expected to take about 1-1/2 years to complete after the contract is awarded. Its purpose is to

--determine the educational needs of the American Indian,

--develop cost estimates to meet these needs, and

--develop initial information that can be used to evaluate the effectiveness of title IV projects.

## CONCLUSIONS

Part A grantees have spent title IV funds on various projects and activities because the act and implementing regulations do not define the special educational needs of Indian children. The regulations allow each LEA, the Indian parent committee, and local community to interpret these needs. LEAs could not determine if title IV projects have responded to priority educational needs because LEAs and parent committees have not made and adequately documented comprehensive needs assessments.

Grant funds were also used to purchase prefabricated buildings. The statues and Federal regulations permit minor remodeling of a previously completed building and the acquisition of necessary equipment designed to meet the special educational needs of Indian children. After questioning the use of grant funds for the purchase of these buildings, OIE issued a policy memorandum in April 1976 prohibiting future purchases of the above type. HEW, in responding to our report, reversed this position and stated that prefabricated buildings should not be considered construction. However, we do not believe that the purchase of the prefabricated buildings constituted minor remodeling or the acquisition of necessary equipment.

LEAs officials believe that OIE's guidance on making and documenting needs assessments has been insufficient. OIE's plans to provide the LEAs technical assistance in assessing needs should improve the quality of the assessments. OIE, however, should provide the LEAs more specific guidelines on conducting and documenting needs assessments. The national needs assessment should also aid OIE in identifying the educational needs of Indian students.

## RECOMMENDATIONS TO THE SECRETARY OF HEW

The Secretary of HEW should direct the Commissioner of Education to:

--Provide LEAs more specific guidance on conducting needs assessment.

--Require LEAs to adequately make and document such assessments.

--Prohibit LEAs from using Indian Education Act funds to purchase prefabricated buildings, unless specific statutory authority is obtained for such uses.

## RECOMMENDATION TO THE CONGRESS

The Congress, after consulting with OIE, the National Advisory Council on Indian Education, and Indian tribes and organizations, should define what constitutes the special educational needs of Indian children.

## AGENCY COMMENTS

HEW concurred in our recommendation and said that a number of efforts are underway or planned for fiscal year 1977 to address the needs assessment problem. These efforts include:

--Providing parent committees and grantees guidelines and an evaluation handbook identifying various methodologies for performing a needs assessment.

--Holding 15 technical assistance conferences for part A grantees during which information is presented on defining problems, setting priorities, developing objectives and activities for their programs, and conducting a needs assessment.

--Conducting training programs on needs assessment for all program specialists.

--Revising OIE review procedures to better identify applicants having weaknesses in needs assessment.

OIE has also contracted for a national needs assessment, expected to be completed in fiscal year 1978. The study will serve as a basis to judge the quality of applicants' needs assessments and will be useful in developing technical assistance and monitoring plans for grantees. The national needs assessment will also help provide a clear statement to the Congress and to all grantees on the special educational needs of Indians. OIE staff is recording information to clarify and define the special educational needs of Indians. This information will be reviewed by Indian educators and made available to appropriate parties.

## CHAPTER 4

## NEED TO ESTABLISH GOALS AND OBJECTIVES AND EVALUATE PROGRAM EFFECTIVENESS

The Office of Indian Education has not established measurable goals for determining a successful program and it has not required grantees to establish clear, measurable objectives for evaluating their projects.

The title IV projects reviewed have not been adequately evaluated because they have not established measurable project objectives and OIE has not provided grantees adequate guidelines for gathering, evaluating, and reporting project results. These deficiencies have hampered OIE and grantees in measuring project accomplishments and in identifying effective approaches that could be disseminated to other grantees.

In addition, the data base maintained by grantees was generally inadequate for determining program effectiveness.

### MEASURABLE PROGRAM GOALS AND PROJECT OBJECTIVES NOT STATED

OIE has not established specific, measurable goals for the title IV program. Instead, part A objectives in OIE's fiscal year 1977 budget request were stated in terms of the resources to be committed, the number of projects to be funded, and the number of Indian children to be served. Discussions with OIE officials and a review of long-range plans did not disclose any specific part A objectives. OIE officials believe, however, that part A objectives should include (1) achieving academic gains for Indian students, (2) creating programs responsive to Indian children's needs, (3) getting Indian parent involvement, and (4) getting local educational agencies to consider the needs of Indian children in designing school curriculums.

In fiscal year 1977's budget request, part B objectives were defined by the resources to be spent in three priority areas, which were further broken down into subpriorities. Of the $12 million requested, $6 million, for example, would be used to provide innovative and capacity-building efforts in such areas as teacher training, parent committee technical assistance, early childhood training, and the development of culturally based instructional materials.

OIE could use the Department of Health, Education, and Welfare's Operational Planning System to develop needed program goals. This system transforms planning goals into specific, measurable objectives by laying out the short-term steps which should lead to long-range goals. This system was established to enable the Secretary of HEW to

--specifically define the results expected from departmental actions and expenditures;

--periodically measure progress toward those results;

--identify existing or potential problems preventing the accomplishment of objectives, thereby enabling management to correct them;

--insure implementation of decisions made in the processes of long-range planning, budgeting, and policy development; and

--make sure new legislation and initiatives are timely and effectively implemented.

## GRANTEE OBJECTIVES ARE UNCLEAR

Objectives stated in grantee applications were generally expressed in vague and unmeasurable terms. Following are some examples.

### Part A grantee objectives

--Provide a procedure whereby the individual needs of Indian children at the local school may be met.

--Increase school attendance of Indian children and enrich the school curriculum.

--Provide opportunities for all Indian children to develop self-confidence through guidance into academic experiences in which these children can succeed.

--Raise the achievement level of Indian children.

### Part B grantee objectives

--Assemble, coordinate, develop, and disseminate native American language education materials.

--Provide a structured approach to the handling of discipline problems within the school setting to provide for the greatest likelihood for positive resolution of conflicts among participants of the school system.

Some grantee officials believe project effectiveness could not be adequately measured because the title IV program and project objectives were not stated in clear and measurable terms.

## IMPROVEMENT NEEDED IN GRANTEE EVALUATIONS

Evaluations allow decisionmakers to (1) assess how well objectives are met, (2) identify factors contributing to the achievement of objectives, and (3) revise plans to correct operational difficulties.

The act and implementing regulations require grantees to develop procedures for evaluating, at least annually, project effectiveness. When appropriate, grantees should consult with and involve Indian parent committees and representatives of the Indian community to be served in performing evaluations. Evaluations of part B grantees should be made by independent evaluators. Within these considerations, grantees can employ the evaluation design they deem appropriate. OIE officials said they require grantees to submit annual evaluation reports.

### Projects not evaluated or adequately assessed

Grantee evaluations are important sources of information to OIE in determining project effectiveness and in identifying projects worthy of dissemination. OIE officials informed us, however, that grantee evaluations lacked quality and were not very informative.

We reviewed the 16 grantee evaluations which inadequately measured project effectiveness in meeting the special educational needs of Indian children. Some grantees generally did not maintain an adequate data base for measuring project accomplishments.

Officials of six grantees said their projects had not been evaluated. One official said a contractor was hired to evaluate the fiscal year 1975 project, but the evaluator only made one of two required site visits and project officials are not sure if a report was submitted. Project officials lost contact with the evaluator because he moved. The

other five grantees did not evaluate their projects because of inadequate funds or direction from OIE.

Officials of four other grantees considered the progress reports submitted to OIE their project evaluations. None of these progress reports, however, contained objective data showing measurable improvements, accomplishments, or failures under the projects. (See p. 42.)

The remaining six grantees performed project evaluations which generally inadequately measured the success of the projects in meeting the special educational needs of Indian children. Four evaluations were based on the evaluators' observations of project operations; reviews of available documents; and opinion surveys of students, parents, teachers, administrators, and project staff. The evaluations of two other grantees included some test analyses, which measured the Indian children's achievement levels in such areas as reading. The analyses did not, however, measure the impact project activities have had in helping Indian chidren to improve in these areas.

At several LEAs, opinion surveys conducted were not always included in the evaluation. The surveys generally asked LEA and project staff personnel, Indian children, parents, and others what they liked about the project, how they thought it could be improved, and the status of project activities.

Parent committee knowledge of part A project operations was generally based on progress reports provided by project staff members during parent committee meetings. (See p. 36.) In only one instance has a parent committee been involved in evaluating project activities.

## OIE EFFORTS TO IMPROVE EVALUATIONS

Grantees did not include clear, measurable objectives in their applications because OIE guidelines did not require them to do so. The applications for school year 1974-75 directed grantees to include project objectives in the narrative section of the application. Project officials also told us OIE has not provided them adequate guidelines for gathering, evaluating, and reporting project results.

Through a private contractor, OIE provided training to several grantees on evaluating projects. During our review,

an OIE official said, however, that the grantees who participated in the training have not greatly improved in making evaluations, but that it may be too soon to judge their performance.

To improve project evaluations, OIE developed new application forms for use beginning with school year 1976-77.

The new forms require grantees to:

--Identify anticipated project results and benefits.

--Outline the overall project and explain how proposed work will be accomplished for each function or activity provided for in the budget.

--Provide for a quantitative monthly or quarterly projection of accomplishments to be achieved by each function and activity.

--Identify the data to be collected and maintained and discuss the criteria to be used in evaluating project results. Such evaluations should include objective measurements of educational achievement.

--Identify Indian children needs and explain the methods to be used in determining if they are being met.

According to an OIE official, each grantee will also be provided an evaluation handbook which will delineate the process for conducting evaluations.

During our review, OIE was also in the process of awarding a contract for the first national evaluation of the impact of part A projects. This evaluation will take about 2 years to complete.

## CONCLUSIONS

OIE cannot determine if the title IV program is successful because program goals have not been established. OIE will have to rely on grantee evaluations. Grantees have been unable to determine if the needs of Indian children are being met because some did not evaluate their projects, while others inadequately measured program effectiveness. Until recently, grantees were not required to develop measurable objectives and milestones to use in determining a successful project.

The lack of goals and objectives and the grantees' failure in maintaining an adequate data base prevented us from determining if projects have been successful. Inadequate grantee evaluations also prevents OIE from (1) assessing how well grantees are meeting Indian children's needs, (2) identifying effective educational approaches that could be disseminated to other grantees, and (3) identifying problem areas requiring corrective action.

The inadequate grantee evaluations appear to be the result of OIE not

--developing adequate procedures for grantees to use in gathering, evaluating, and reporting project results and

--requiring grantees to establish clear, measurable objectives as a basis for evaluating their projects.

OIE has initiated some efforts that may help in establishing goals and objectives and improving evaluations. These efforts include the development of an evaluation handbook, the requirement for more specific information on grantee applications, and the undertaking of a national needs assessment and evaluation of the part A program.

## RECOMMENDATIONS TO THE SECRETARY OF HEW

The Secretary of HEW should direct the Commissioner of Education to:

--Establish clear, measurable goals for the title IV Indian education program and set periodic milestones for measuring program effectiveness. Within these goals, grantees should continue to have flexibility to design their projects according to their particular needs. Approaches used in HEW's Operational Planning System and data obtained from the national needs assessment may be useful in establishing these goals and milestones.

--Require grantees to make adequate annual project evaluations.

--Use project evaluations to determine if grantee improvements are needed in future projects.

--Improve technical assistance to parts A and B grantees to help them develop clear, measurable project objectives and evaluate and report project results.

--Solicit grantee comments on the usefulness of OIE's evaluation handbook.

AGENCY COMMENTS

HEW agreed with our recommendations and emphasized that the Indian Education Act is based on self-determination. Therefore, program objectives must show the needs and objectives established at the local level through extensive community and parental involvement. HEW said OIE is in the process of refining fiscal year 1977 budget objectives and developing new objectives. Operating plans for each objective will be in the HEW Operational Planning System format.

HEW added that grantee evaluation and the development of project objectives should be improved because OIE has (1) provided grantees an evaluation handbook and guidance in all areas of project management, (2) stressed project evaluation and the development of objectives at national, regional, and State technical assistance conferences, (3) awarded a contract to provide Indian controlled schools with assistance in conducting project evaluations, (4) redesigned a performance reporting form which will require grantees to explain in detail their progress toward achieving project objectives, the status of major milestones, and describe target groups served and problems encountered, and (5) required grantees to submit project evaluations to OIE 90 days after the grant award period. HEW also said that the effectiveness of the evaluation handbook will be assessed during 1977.

## CHAPTER 5

## PARENT COMMITTEE INVOLVEMENT SHOULD BE STRENGTHENED

The Indian Education Act deems parental involvement at the local level important in establishing projects to help Indian children overcome educational deficiencies. The local educational agencies reviewed had established title IV parent committees. At some LEAs, however, Indian parents have not actively and consistently participated in committee functions.

In some instances, the LEAs did not provide parent committees objective and analytical data on the needs and academic achievements of their children. In other cases, parent committee responsibility and authority was not always understood by the LEA and the committees. In addition, the LEAs did not always provide parent committees the necessary guidance and assistance to help them carry out their assigned responsibilities.

### PARENTAL INVOLVEMENT

Federal regulations provide for the participation of Indian parents in planning, developing, operating, and evaluating part A programs. To comply with regulations, each LEA must establish an Indian parent committee. Membership can include only Indian parents, teachers of Indian children, and Indian secondary school students, with parents comprising at least half of the membership.

Each grantee reviewed had established a parent committee. For 10 of 12 grantees, parent committees kept attendance records. These records show that during school year 1974-75, Indian parents, on five committees and not employed by the LEAs as teachers, did not consistently participate in committee functions. For example, only 3 of 18, 9 of 31, and 8 of 34 Indian parent committee members participated in 50 percent or more of the committee functions.

LEA officials and parent committee members said parental involvement was limited because of employment or family responsibilities, transportation problems, conflicts with the LEA school board, or apathy. Officials of two LEAs said the lack of parental participation in school activities is not peculiar to Indians. They said the effectiveness of their Indian parent committees equaled or exceeded that of other parent committees they previously worked with.

All 12 parent committees were involved in planning and developing title IV projects. Six of 12 committees actively participated with the LEA in developing the title IV proposal, while the other 6 reviewed the proposals developed by the LEAs before the proposal was submitted to the Office of Indian Education.

The parent committees generally maintained limited records of their involvement in title IV project operations. Parent committee involvement in project monitoring usually consisted of LEA staff members verbally giving them status reports on project activities. In some instances, the LEAs did not provide the parent committees objective or analytical data on the children's needs and academic achievements. Other areas of parent committee activity consisted of

--considering changes to projects and approving special expenditures of funds, when brought to their attention;

--determining eligibility of children to participate in the program;

--interviewing or approving individuals to be employed by the project;

--establishing the level of project activity at each school site; and

--getting more Indian parents involved in committee functions.

## NEED TO CLARIFY PARENT COMMITTEE RESPONSIBILITY AND AUTHORITY

LEA officials and parent committee members said for successful title IV programs, parent committee members and the LEA staff administering the program must cooperate. At five LEAs visited, conflicts arose between the LEA staff and parent committees on the extent of the parent committee's authority and responsibility. For example:

--At one LEA, the parent committee and LEA officials differed on various administrative matters. Each believed it was following title IV regulations. These conflicts resulted in the school year 1975-76 grant being delayed.

--At another LEA, the parent committee could not obtain a copy of a monthly project budget and expenditure report because some LEA officials were unsure of the parent committee's need and authority to have such information.

--A staff position at one LEA remained vacant because the parent committee and the LEA personnel department could not agree on the person to fill the position.

--At one LEA, school principals said they had the authority to bar title IV activities from their schools, if they so desired. One principal said he discontinued a title IV activity because non-Indian children were not allowed to participate. This activity was approved and carried out by the parent committee the previous year.

Members of three other parent committees told us that while they had not experienced major problems with LEAs, they believe the potential for problems exists because of the inadequate definition of parent committee authority.

## NEED TO PROVIDE MORE ASSISTANCE TO PARENT COMMITTEES

All of the LEAs visited gave the parent committees the title IV act and regulations, but only five LEAs provided them guidance on the title IV law, regulations, and committee responsibilities.

In some cases, LEAs did not give their committees adequate assistance to help them carry out their assigned responsibilities and functions. One LEA, for example, provided essentially no assistance to the parent committee and only limited assistance to the title IV project staff. According to an LEA official, the LEA considered the project to be an Indian program and felt the Indians should be allowed to operate the project without outside interference.

At another LEA, the LEA and the parent committee seemed to communicate poorly. At the start of the 1975-76 school year, the LEA called a parent meeting and organized a new title IV parent committee, but failed to inform members of the existing parent committee that a new committee had been organized. LEA officials were unaware that two title IV parent committees existed until we brought it to their attention.

During our review a private firm under contract with OIE was developing a media kit for school year 1976-77 that should improve Indian parent committee performance in carrying out their responsibilities. The proposed kit would provide information on the Indian Education Act and part A regulations; parent committee procedures and operations; and getting LEAs, Indian parents, and Indian leaders in education involved.

## CONCLUSIONS

The LEAs reviewed had established parent committees. At some LEAs, however, those Indian parents not employed by the LEA were not actively and consistently involved in committee functions. All parent committees were involved in planning and developing title IV projects, but only partly involved in monitoring project activities.

Parent committee involvement in project activities was also hampered because

--the LEAs generally did not provide parent committees objective and analytical data on the children's needs and academic accomplishments,

--in some cases, committee responsibility and authority was not clearly understood, and

--LEAs did not always provide parent committees necessary guidance and assistance to help them effectively carry out their assigned responsibilities.

## RECOMMENDATIONS TO THE SECRETARY OF HEW

The Secretary of HEW should direct the Commissioner of Education to clarify parent committee responsibility and authority in program regulations. OIE should encourage LEAs to provide parent committees the necessary guidance and assistance and the necessary data on their children's needs and accomplishments. OIE should also encourage the LEAs to increase the number of Indian parents participating consistently in committee functions and get parent committees involved in title IV project operations.

## AGENCY COMMENTS

HEW did not agree that there has been minimal parental involvement in title IV projects. An OIE survey of parent committee and community members showed that, for school year

1973-74, Indian parents were extensively involved in planning and operating projects. HEW said the discrepancy between the survey data and our data could be due to several factors, including the fact that the OIE survey covered school year 1973-74, while we reviewed data for school year 1974-75.

However, HEW agreed that a need to further clarify and increase parent committee involvement in title IV projects does exist. In this regard, OIE has provided parent committees detailed information on part A rules and regulations and their roles and responsibilities. LEAs have been encouraged to provide parent committees with complete information, particularly on school budgets and activities which relate to Indian projects. HEW said OIE will review parent committee involvement and obtain feedback on the need to clarify part A rules and regulations. HEW stated that based upon the above efforts to clarify the part A rules and regulations and parent committee responsibilities, it would be inappropriate to take any additional efforts. However, HEW said that it would be more efficient to evaluate the above actions and make changes in regulations when the program comes up for reauthorization in fiscal year 1978.

## CHAPTER 6

## PROGRAM ADMINISTRATION NEEDS TO BE IMPROVED

Some administration and monitoring of title IV projects has been inadequate to make sure that grantee projects are planned and operated according to the Indian Education Act and are effective in meeting the special educational needs of Indian children. Office of Indian Education officials primarily attribute these deficiencies to their small staff administering the parts A and B grants. The following table shows the number of professional staff members and the number of grants each was responsible for administering during fiscal years 1974-76.

| Fiscal Year | Number of professional staff | | Number of grants per staff member | |
|---|---|---|---|---|
| | Part A | Part B | Part A | Part B |
| 1974 | 5 | 2 | 170 | 68 |
| 1975 | 11 | 9 | 77 | 21 |
| 1976 | 12 | 9 | 100 | 24 |

For each grant assigned, the staff member was responsible for reviewing grant proposals, reports, and evaluations and monitoring grant expenditures. According to an OIE official, the professional staff were assigned fewer part B grants because they were generally larger and more complex than part A grants.

### APPLICATIONS NOT COMPLYING WITH PROGRAM REGULATIONS

Federal regulations and OIE guidelines require that part A applications contain evidence and assurance of grantee compliance with the act and regulations. OIE staff members review each application to see that these requirements are met.

The 12 part A grantee applications submitted and approved by OIE for school year 1974-75 did not fully comply with regulations. Several applications for example, did not show or contain sufficient information to support that

--an adequate needs assessment was made;

--clear and measurable objectives were established;

--Federal funds would be used to supplement, not supplant, other sources of funds;

--the project would greatly increase educational opportunities for Indian children;

--the project was developed with the participation and approval of the majority of the Indian parent committee;

--adequate procedures were followed in nominating and selecting parent committee members; and

--the program would be operated and evaluated in consultation with the Indian parent committee and the local Indian community.

Such information is necessary to make sure grantees comply with the act and OIE regulations and allow OIE to determine if grantee projects will effectively meet Indian children's educational needs.

## INADEQUATE MONITORING OF GRANT ACTIVITIES

Having OIE representatives monitor title IV projects is helpful in detecting and correcting weaknesses, strengthening administration, and achieving program objectives. OIE had not, however, adequately monitored projects during the critical, early stages of the title IV program. OIE officials said they made few onsite project reviews and contact with grantees was primarily through letters and telephone calls.

According to grantee officials, during fiscal year 1975 OIE representatives made onsite visits to 5 of the 16 grantees reviewed.

Officials of four of these grantees said the visits involved briefly describing their activities to OIE representatives. According to former parent committee members for the other grantee, OIE representatives visited their locations primarily to clarify the parent committee's authority and responsibility. Project officials and parent committee members serving during our review said they were not aware these visits had been made. For three of the five grantees, we did not find any documentation supporting visits by OIE representatives.

One OIE official said that because of staffing problems, they will do well if they visit 5 percent of part A grantees during school year 1975-76. Another official said onsite visits will be limited to grantees with major problems.

Progress reports

In most cases, project information available to OIE, such as progress reports, was not sufficient to allow OIE to adequately assess each project.

OIE officials said grantee progress reports generally have not been informative. Some reports, for example, have provided general information, such as budget and expenditure reports, types of activities and achievements, discussions of relations between the LEA and its parent committee, background information, and the number of students served. The reports usually did not include specific data to support grantee statements on program operations and achievements. One part A grantee submitted only one of four progess reports required during school year 1974-75.

During our fieldwork, OIE was developing a new semiannual report format for grantees to use in reporting their progress to OIE in school year 1976-77. The new procedure would require each grantee to give OIE

--a detailed description or explanation of project goals, activities, accomplishments, and problems; evaluation plans and procedures; and the extent of Indian children participation in the project;

--a comparison of project accomplishments with goals established for the report period; and

--a basis for assessing problems, delays, or adverse conditions that might affect project objectives and for determining LEAs needing technical assistance.

OIE-sponsored training

During 1974 and 1975, OIE sponsored several training workshops to provide grantees and parent committee members technical assistance in project planning, development, operation, management, and evaluation. During fiscal year 1975, a private firm, under contract with OIE to develop a monitoring and evaluation system, conducted 10, 3-day conferences for 165 grantee representatives. At these conferences, needs assessments and project evaluations were the main topics discussed. In addition, the contractor held 3, 5-day quality

control conferences during fiscal year 1975 for 44 of the largest part A grantees to instruct them on evaluating their projects.

## CONCLUSIONS

OIE needs to improve some aspects of administering and monitoring grants, including review of part A grant applications, so that projects are planned and operated according to the act and are effective in meeting Indian children's educational needs. OIE officials attributed many of their problems to the small staff they have to administer the program.

## RECOMMENDATIONS TO THE SECRETARY OF HEW

To strengthen the administration and monitoring of title IV projects, the Secretary of HEW should direct the Commissioner of Education to

--require that title IV applications contain sufficient information supporting full grantee compliance with specific provisions of the act and OIE regulations and

--develop a better management information and reporting system to allow OIE to determine and resolve grantee problems.

## AGENCY COMMENTS

HEW agreed with our recommendations and said that because of its small staff, the review of fiscal year 1974 grant applications was inadequate. HEW said OIE has developed several sets of technical assistance materials aimed at improving the quality of applications and modifying application review procedures to identify applicants with weaknesses in their needs assessments, objectives, and other areas of their proposed projects. Individual monitoring and technical assistance plans will be developed for each grantee, including site visits to priority grantees.

HEW said OIE has also improved its management information and reporting system by revising its report format to require detailed information, particularly on accomplishments as compared to objectives. OIE project officers will be provided management reports displaying grantee performance and budget information which OIE can use to develop strategy for expending technical assistance resources.

APPENDIX I

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20201

NOV 22 1976

Mr. Gregory J. Ahart
Director, Human
Resources Division
United States General
Accounting Office
Washington, D.C. 20548

Dear Mr. Ahart:

The Secretary asked that I respond to your request for our comments on your draft report entitled, "Improvements Needed in Meeting the Educational Needs of Indian Children". The enclosed comments represent the tentative position of the Department and are subject to reevaluation when the final version of this report is received.

We appreciate the opportunity to comment on this draft report before its publication.

Sincerely yours,

John D. Young
Assistant Secretary, Comptroller

Enclosure

APPENDIX I

## Comments of the Department of Health, Education, and Welfare on the Comptroller General's Report to Congress entitled, "Improvements Needed in Meeting the Educational Needs of Indian Children"

### Overview

We concur with most of the major findings stated in the GAO report, but believe that GAO has not provided an adequate perspective of the conditions which existed at the time of their study. We believe the following factors should be considered when examining the GAO findings:

1. The court-ordered release of funds resulted in less than two months to solicit applications, review them, obligate funds, and make grant awards.

2. The Part A program, where funds go to local education agencies, represented the first real involvement of Indian parents and Indian communities in the public school system.

3. Under the Part A, Non-Local Education Agency, Part B and Part C programs, grantees who are primarily Indian tribes, institutions, and organizations, were relatively inexperienced in managing Federal or other education programs.

4. The Office of Indian Education (OIE) had experienced difficulty in recruiting staff with experience in Indian education, and therefore operated below its position ceiling. With an inadequate staff level only basic administrative grant functions could be completed.

It is important to note that these conditions existed at the time of the GAO review and had a negative impact on the success of OIE. The OIE has since implemented corrective actions which are aimed at making significant improvements in the administration and accomplishments of the program.

### GAO Recommendation

The Secretary should direct the Commissioner of Education to establish adequate guidelines and procedures for LEA's to use in determining and documenting the number of Indian children to be counted eligible for the Part A Program.

### Department Comment

We concur. During 1976, the Division of Local Educational Agency Assistance developed, and received OMB approval of, two forms which are being implemented in FY 1977 to assist LEA's in determining and documenting the number of eligible Indian children in their school districts.

The two forms are OE Forms 506 and 506-1. OE Form 506 states the definition of an Indian contained in the Indian Education Act, asks for the tribal affiliation of the student, parent(s), and/or grandparent(s), and requires the signature of the parent or legal guardian. The parents read the definition and make a determination as to whether or not their child meets the definition. The form must be completed for every student the school district counts towards its entitlement. The LEA may not use an individual teacher observation count, a show of hands, or place a blood quantum limitation on the definition to determine eligibility. Parent Committees will review the forms in conjunction with the LEA and advise them about the legitimacy of Indian organizations indicated by the students and parents.

The second form, OE Form 506-1, is to be completed by the school district and forwarded to the State department of education for verification of the student count. Each participating SEA then forwards a list of all school districts and their Indian enrollment to the OIE.

The OIE will evaluate the adequacy of this procedure by examining the records of a random sample of school districts funded in FY 1977 and by interviewing a sample of the students and parents involved. In addition to this controlled review, the records of all school districts having an on-site monitoring visit from OIE staff will be checked by the visiting program specialist. Should it prove necessary, revised procedures will be developed to correct any problems.

We do not concur with the implication found in the report that the problems related to determining and documenting eligible Indian children are caused by the definition of "Indian" contained in the Indian Education Act. We believe the problems cited by GAO were due to misinterpretation on the part of applicants and inadequate guidelines from OIE. These conditions should be corrected with the implementation of forms 506 and 506-1.

GAO Recommendation

The Secretary should direct the Commissioner of Education to provide LEA's with additional guidance on how to conduct needs assessments and insure that LEA's are adequately making and documenting such assessments.

Department Comment

We concur. The Office of Indian Education believes that the problems concerning needs assessments are being addressed through six major efforts; the Part A Information Kit, technical assistance conferences,

an evaluation handbook for grantees, in-service training of OIE employees, the use of deficiency notices for negligent LEA applicants, and a contract to conduct a national needs assessment.

In September of 1976 OIE, through a private contractor, completed the Title IV, Part A Information Kit. This Kit contains a detailed explanation of Parent Committee roles and responsibilities presented in layman's language in a combination of five filmstrips and sixteen written chapters. One of the chapters is directed to conducting a needs assessment. Each of the 1226 Parent Committees who submitted an application through their LEA in FY 1976 has received the Information Kit containing the needs assessment guidelines.

In addition to the Information Kit, the Division of Local Educational Agency Assistance is in the process of conducting fifteen technical-assistance conferences throughout the nation for Part A applicants and grantees. An integral part of the conference is how to conduct a needs assessment. Information is presented on defining the problems, setting priorities, developing objectives and activities for program. Extensive consideration is also given to project evaluation as it relates to meeting the needs identified in the assessment.

In addition to the Part A Information Kit and the technical assistance conferences, OIE has developed, under contract, the Handbook on Evaluation for Title IV Indian Education Act Projects. A supplement to the Handbook includes a chapter which discusses various methodologies for conducting a needs assessment, including surveys, group meetings, the Delphi technique, the use of visiting experts or panels and the use of official records. In addition, a comprehensive needs assessment bibliography is presented for use by the interested reader. The handbook and supplement were mailed to all Title IV, Indian Education Act FY 1976 grantees and to the Parent Committee chairpersons for each Part A grantee.

During FY 1977 the Office of Indian Education will also develop and conduct in-service training on needs assessments for all program specialists working with applicants and grantees.

Additionally, the FY 1977 review procedures will be revised to provide for systematic identification of applicants having weaknessess in the area of needs assessment. Deficiency notices will be sent to these Part A applicants, requiring corrective action within thirty days. Technical assistance and monitoring plans will be developed and implemented for those needing further improvements following the grant award.

Finally, OIE has awarded a contract to the National Indian Education Association to conduct a national needs assessment. When this study is completed in FY 1978 it will serve as a basis upon which the quality of Title IV applicants' needs assessments will be judged. It will also be useful in developing technical assistance and monitoring plans for individual grantees. Applicants and grantees should also find it helpful in determining areas of investigation for their own needs assessments.

It is anticipated that the national needs assessment will help provide a clear statement to Congress and to all grantees on what is meant by "the special educational needs" of Indians. The project should result in a national and a cross cultural portrait of those special educational needs. Additionally, through their monitoring and technical assistance efforts, OIE staff are systematically recording information which will help clarify and define the special educational needs of Indians. A select group of Indian educators having direct experience in determining the educational needs of Indians will be asked to review and refine this information at a conference in January, 1977. This information and that from the needs assessment will then be made available to the appropriate parties.

GAO Recommendation

The Secretary should direct the Commissioner of Education to:

—Establish clear, measurable goals for the Title IV Indian Education program--in terms of output and set periodic milestones to measure the program's effectiveness. Within these overall goals grantees should continue to have flexibility to design their individual projects in accordance with their particular needs. Approaches used in HEW's Operational Planning System and data obtained from the national needs assessment might be useful in establishing these goals and milestones.

—Insure that grantees make adequate annual project evaluations.

—Use project evaluations to determine whether improvements are needed in the grantees' projects.

—Improve technical assistance to Part A and B grantees to help them develop clear, measurable project objectives and evaluate, and report project results.

—Solicit comments from grantees concerning the usefulness of OIE's evaluation handbook.

Department Comment

We concur. However, it is important to emphasize the fact that the Indian Education Act is based on the principle of Indian self determination, and therefore objectives must reflect the needs and objectives established at the local level through extensive community and parental involvement. OIE objectives will be based on information received in applications, from participants at technical assistance conferences, and from discussions with the National Advisory Council on Indian Education. OIE is in the process of refining the objectives contained in the FY 1977 budget and developing new objectives. Operating plans for each objective will be in the HEW Operational Planning System format. Since the national needs assessment will not be completed until FY 1978, we cannot base our objectives on the data from that study until next fiscal year.

Concerning the issues of evaluation and the development of project objectives, OIE has undertaken six specific actions aimed either privarily or secondarily at improving applicant and grantee performance in evaluations and objective setting. First, as mentioned previously, OIE has produced under contract the Handbook on Evaluation for Title IV Indian Education Act Projects. This handbook provides a detailed methodology for conducting project evaluations and setting objectives. It was provided to all FY 1976 grantees and all Part A Parent Committees. Early reports from the field are favorable, and the Office of Education's Planning, Budgeting, and Evaluation Office gave it an excellent rating after a staff review. Second, the Part A Information Kit provides extensive information on project evaluation and setting objectives. More importantly, however, is the fact that the Kit provides guidance in all of the project management areas which provide the basis upon which a sound evaluation can be conducted. Third, OIE staff have been stressing project evaluation and objectives at the national, regional, and State technical assistance conferences held this fall. They stress the need for conducting project evaluations, setting objectives, and refer individuals to the Handbook and the Kit. Fourth, a contract has been awarded to ACKCO Inc. to provide Indian-controlled alternative schools with assistance in conducting project evaluations. The contractor is assisting the schools in clarifying their objectives and designing the appropriate strategies and tests to measure their accomplishments.

The fifth action has been to redesign and implement the performance reporting form requiring substantially more evaluation information than was contained in previous reports. This information includes detailed reporting of progress toward project objectives, the status of major milestones, and descriptions of target groups served and problems encountered. Computer-assisted processing will be an integral

part of the report processing to insure that problems are identified and technical assistance provided in a timely fashion.

Finally, the FY 1977 grant award documents will include a requirement, in the special grant terms and conditions section, that the project evaluation reports be submitted to OIE ninety days after the grant award period. In the past the grantees had to conduct an evaluation, but the evaluation report did not have to be submitted to OIE. These evaluation reports will be reviewed by OIE staff and, for all grantees continuing in the year following the report, a technical assistance plan will be developed to assist those needing help either with the evaluation itself or with program design.

In response to the recommendation that grantee comments on the Handbook be solicited, the Office of Indian Education is currently studying alternatives to be used for evaluating both the "Information Kit" and the Handbook on Evaluation for Title IV Indian Education Act Projects. An alternative will be selected by December, 1976. Results of the study should be in by November, 1977. This will allow the grantees a full year to use the Kit and Handbook before we assess their effectiveness. Should it prove necessary, revisions will be made in the documents or alternative methods will be developed to improve performance.

GAO Recommendation

The Secretary should direct the Commissioner of Education to clarify parent committee responsibility and authority in program regulations. OIE should encourage LEAs to insure that parent committees are provided the necessary guidance and assistance, are involved in the operation of Title IV projects, and are provided the necessary data concerning the needs and accomplishments of their children. Also, OIE should encourage LEAs to try to increase the number of Indian parents participating in committee functions on a consistent basis.

Department Comment

We do not concur with the implication that there has been minimal parental involvement in Title IV projects. The Office of Indian Education has data which conflict with the findings of GAO. In 1974, a process evaluation survey was conducted to determine, in part, the degree of participation by parent committees in the project management process for school year 1973-74. The sample selected consisted of 102 Part A districts and was representative of the population of Part A funded districts. Responses to a variety of questions asked of parent committee members and members of the community at large indicated there was extensive involvement in the planning and operation of projects.

OIE is unsure of the reasons for the discrepancy between the OIE data and the GAO data. There are several possible reasons. First, the GAO sample was not matched to the population parameters, and could have been biased and therefore not representative of the total population. Second, the OIE survey was conducted in school year 1973-74, whereas the GAO report was based on data collected in school year 1974-75, and the difference could be related to an additional year of operation. Third, as parent experience increases, their expectations also increase. They often desire to extend their activities beyond the Indian Education project. School administrators often resist this increased involvement, thereby causing a negative attitude in the parents.

Despite discrepancy between OIE data and the GAO report, we agree there is a need to further clarify and increase the parent committee involvement in Title IV projects. Specific actions have been undertaken to do this. The most important action to date has been the development of the "Information Kit, Part A, Indian Education Act." The Kit provides a detailed explanation of the Part A rules and regulations and the Parent Committee roles and responsibilities. It also includes methodologies and instructions for carrying out such important project functions as planning, implementation, and evaluation. Prior to completion of the Kit a draft was presented to approximately two hundred representatives from school districts and parent committees at a conference for that purpose. It was significantly revised based on their critique and has now been mailed to the 1226 parent committees submitting applications in FY 1976. OIE will conduct a formal evaluation of the Kit's effectiveness.

Given this extensive effort to clarify the Part A rules and regulations and Parent Committee responsibilities, we believe it would be inappropriate to revise the rules and regulations for purposes of clarification as implied by GAO. In addition, the authorization for the Act ends in FY 1978 and, if it is extended, changes in the regulations will be required at that time. It would be more efficient to evaluate the Kit's usefullness and make changes in it and the regulations at the same time.

However, we do concur with the GAO recommendation that the LEAs be encouraged to provide parent committees with additional information and assistance to find ways to increase the number of parents participating. The recommendation has been implemented in several ways. First, OIE has prepared and mailed all LEAs a "Dear Colleague Letter" which reminds them of all the major requirements appearing in the rules and regulations and encourages them to provide parent committees with complete information, particularly on school budgets and activities which may be related to the Indian education project. Second, in State

and regional conferences being held around the country program staff have been stressing the importance of parental involvement, and engaging participants in dialogues on how these objectives can best be achieved. Finally, these points are stressed in almost all of the monitoring contacts made by the program staff.

GAO Recommendation

To strengthen the administration and monitoring of Title IV projects, the Secretary should direct the Commissioner of Education to:

--insure Title IV applications contain sufficient information to support that grantees are in full compliance with specific provisions of the act and OIE regulations and

--continue to develop a better management information and reporting system to allow OIE to determine and resolve grantee problems.

Department Comment

We concur that certain aspects of the administration and monitoring of grants need to be improved and have undertaken steps to make those improvements. However, we would like to point out that the applications GAO reviewed were those received at a time (FY 1974) when OIE was recruiting staff; there were only 5 professionals to handle 1,098 Part A applications and 2 professionals to handle 438 Part B applications in FY 1974. As a result of this situation the review of applications was inadequate. The FY 1974 applications were solicited only 5 months after the first rushed processing, which had been done over a short six-week period under court order (See, Minnesota Chippewa Tribe, et. al. v. Frank C. Carlucci, et. al., U.S.D.C., D.C., Civil Action No. 175-73. May 8, 1973.) The quality of those first year applications was less than desirable. When the request for FY 1974 applications went out the grantees were barely underway and many were experiencing problems, hence, the quality of their submissions did not improve significantly. Nor was OIE able to adequately review, monitor, and provide technical assistance to improve the quality. Significant improvements, however, have been made since that time.

As previously mentioned, OIE has developed several sets of technical assistance materials aimed at improving the quality of applications

being submitted. These materials and other information being presented in technical assistance conferences and through monitoring efforts explain the law, rules and regulations, and outline a higher performance standard along with methodologies for achieving it. In addition, application review procedures have been modified to systematically identify applicants with weaknesses in their needs assessments, objectives, and other required areas. These procedures, which include the use of a deficiency notice for the entitlement program and a negotiation process for the discretionary programs, will help insure that applicants are in full compliance with the law and regulations. Monitoring and technical assistance efforts have also been improved. Individual monitoring and technical assistance plans will be developed for each grantee, including site visits to priority grantees. A contract and five grants also were given to Indian organizations so they could provide technical assistance to specific Title IV grantees in such areas as evaluation, project management, and Parent Committee operations.

OIE has improved its management information and reporting system by revising its report format so that it requires more detailed information, particularly on accomplishments as compared to objectives. The frequency, however, has been reduced from quarterly to semi-annually. OIE has contracted to develop a computer system to process semi-annual reports and provide OIE Project Officers with timely, processed information upon which to react to problems either specifically identified by the grantee or identified through analysis of budget and/or performance data. Each Project Officer will receive a set of management reports displaying performance and budget information on each grantee within their jurisdiction, and ordered by the severity of each type problem. This information will be used to help develop the OIE strategy for expanding technical assistance resources.

Additional Comment

Under Chapter 3, page 25, Example 1 of the report, GAO defines as construction the lease/purchase of 8 prefabricated buildings which house mathematics laboratory equipment. We do not believe this constitutes construction. There is authority under the regulations to engage in lease/purchase agreements. There also is precedent which indicates the purchase of math laboratories housed in prefabricated, portable buildings should not be considered construction. Therefore, we suggest that the four paragraphs under the subheading, "Math Laboratories," be deleted and that the dollar amount next to "Example 1" be changed to $596,000.

APPENDIX II

TWELVE PART A GRANTEES REVIEWED

| Name of grantee/ State | Grant amount available for FY 74 | FY 75 | FY 76 | Total | Number of schools | Indian children enrolled (note a) | Percent of total Indian student enrollment |
|---|---|---|---|---|---|---|---|
| | (000 omitted) | | | | | | |
| Gallup-McKinley County School District, New Mexico and Arizona | $591 | $849 | $706 | $2,146 | 28 | 9,164 | 74 |
| Minneapolis Public Schools, Special School District Number 1, Minnesota | 235 | 327 | 297 | 859 | 122 | 2,676 | 5 |
| Tulsa Public School District, Oklahoma | 176 | 240 | 232 | 649 | 107 | 3,392 | 5 |
| Los Angeles City Unified School District, California | (b) | 131 | 406 | 537 | 631 | 4,310 | 1 |
| Lawton Public School District, Oklahoma | (b) | 53 | 218 | 271 | 41 | 3,180 | 15 |
| Sacaton Public School District Number 18, Arizona | 73 | 95 | 70 | 238 | 1 | 861 | 100 |
| Duluth Public Schools, Independent School District Number 709, Minnesota | 37 | 66 | 75 | 178 | 43 | 680 | 3 |
| Tempe Elementary School District Number 3, Arizona | 39 | 55 | 68 | 162 | 21 | 835 | 6 |
| Sapulpa Public School District, Oklahoma | 15 | 112 | (b) | 127 | 9 | 1,307 | 31 |
| Bemidji Public School, Independent School District Number 31, Minnesota | 18 | 29 | 33 | 80 | 9 | 297 | 7 |
| Edmond Public School District, Oklahoma | (b) | 30 | 34 | 64 | 11 | 496 | 9 |
| Coolidge Elementary and Secondary School District, Arizona | (b) | 27 | 26 | 53 | 7 | 321 | 12 |
| Total | $1,184 | $2,014 | $2,165 | $5,363 | | | |

a/These figures represent the estimated number of Indian children enrolled for the 1975-76 school year.

b/Grant not awarded.

## FOUR PART B GRANTEES REVIEWED

| Name of grantee/ State | Grant amount available for FY 74 | FY 75 | FY 76 | Total |
|---|---|---|---|---|
| | --------(000 omitted)------ | | | |
| The Navajo Division of Education, the Navajo Tribe, Arizona | $300 | $400 | $400 | $1,100 |
| DQ University, Davis, California | 250 | 200 | 175 | 625 |
| Mille Lacs Reservation, Business Committee, Minnesota | 99 | 150 | 100 | 349 |
| Cherokee Bilingual Education Program, Greasy School, Oklahoma | (a) | 150 | (a) | 150 |
| Total | $649 | $900 | $675 | $2,224 |

a/Grant not awarded.

## PRINCIPAL HEW OFFICIALS

## RESPONSIBLE FOR ADMINISTERING ACTIVITIES

## DISCUSSED IN THIS REPORT

| | Tenure of office | |
|---|---|---|
| | From | To |
| SECRETARY OF HEALTH, EDUCATION, AND WELFARE: | | |
| Joseph A. Califano | Jan. 1977 | Present |
| David Mathews | Aug. 1975 | Jan. 1977 |
| Caspar W. Weinberger | Feb. 1973 | Aug. 1975 |
| Frank C. Carlucci (acting) | Jan. 1973 | Feb. 1973 |
| Elliot L. Richardson | June 1970 | Jan. 1973 |
| ASSISTANT SECRETARY (EDUCATION): | | |
| Philip E. Austin (acting) | Jan. 1977 | Present |
| Virginia Y. Trotter | June 1974 | Jan. 1977 |
| Charles B. Saunders, Jr. (acting) | Nov. 1973 | June 1974 |
| Sidney P. Marland, Jr. | Nov. 1972 | Nov. 1973 |
| COMMISSIONER OF EDUCATION: | | |
| William F. Pierce (acting) | Jan. 1977 | Present |
| Edward Aguirre | Oct. 1976 | Jan. 1977 |
| William F. Pierce (acting) | Aug. 1976 | Oct. 1976 |
| Terrel H. Bell | June 1974 | Aug. 1976 |
| John R. Ottina | Aug. 1973 | June 1974 |
| John R. Ottina (acting) | Nov. 1972 | Aug. 1973 |
| Sidney P. Marland, Jr. | Dec. 1970 | Nov. 1972 |
| DEPUTY COMMISSIONER OF INDIAN EDUCATION: | | |
| Swinney Gabe Paxton, Jr. (acting) | July 1976 | Present |
| William G. Demmert (acting) (note a) | Mar. 1976 | July 1976 |
| William G. Demmert | Jan. 1975 | Mar. 1976 |
| Purnell Swett (acting) | Aug. 1974 | Jan. 1975 |
| Frank B. McGettrick (acting) | Mar. 1973 | Aug. 1974 |

a/In March 1976 Dr. Demmert accepted a position with the Bureau of Indian Affairs and therefore, became the Acting Deputy Commissioner of Indian Education.

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